

Stephen Navaretta
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1218 Third Avenue
Seattle, Washington 98101

August 8, 1985

Henry Elsen, Esq.
EPA Region 10
1200 Sixth Avenue
Seattle, WA 98101

Dear Mr. Elsen:

Please consider this written evidence that Warren Bingham has exercised his best efforts to comply with affirmative condition 1.a of Attachment 1 to the Agreed Order Re: Respondent Bingham in EPA Cause No. X83-04-01-3008 and 83-04-02-3008.

Mr. Bingham has made substantial efforts to sell the property to an entity financially responsible and able to close the Rathdrum facility pursuant to the agreement. Unfortunately, a bona fide offer, which would have resolved the matter pending performance of the buyer, has been withdrawn.

While attempting to sell the property Mr. Bingham, through counsel, has made contact with environmental consultants including Dames and Moore and Envirosafe of Idaho and has obtained advice and input from these concerns including cost estimates and preliminary plans of action. Because of the offer received for the facility which proceeded to preparation of the final documents, the follow through with the consultants was delayed. We have only learned of the loss of the sale on August 7, 1985 and activation of consulting efforts cannot yield a closure plan by August 20, 1985. My client understands his responsibilities and will meet them.

Very truly yours,

[Signature]
Stephen Navaretta

SN/mjn

USEPA RCRA



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